

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

LEV KHISLAVSKY,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA;
UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES;
TOMMY G. THOMPSON, SECRETARY,
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; MICHAEL
MCCULLEN, ADMINISTRATOR FOR
THE CENTERS FOR MEDICARE AND
MEDICAID SERVICES; NAM K. CHO
AND YUNG J. NA,

Defendants.

Civil Action 04-cv-5264 (JLL)

**ORDER ADOPTING THE REPORT
AND RECOMMENDATION OF
THE MAGISTRATE JUDGE**

LINARES, District Judge.

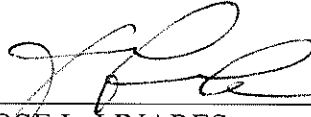
This Court had referred the Government Defendants' motion to dismiss Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) for lack of jurisdiction over the subject matter to the Honorable Ronald J. Hedges, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B). Having reviewed de novo the Report and Recommendation of July 5, 2005, and having considered Plaintiff's objections to the Report, this Court adopts Magistrate Judge Hedges July 5, 2005 Report and Recommendation as the Opinion of this Court and dismisses Plaintiff's Complaint against Defendants.

IT IS on this 5th day of April, 2006,

ORDERED that the Report and Recommendation of Magistrate Judge Hedges filed July 5, 2005, recommending that Defendants' motion to dismiss [CM/ECF Docket Entry # 7] be granted, is hereby ADOPTED as the findings of fact and conclusions of law of this Court.

This case is closed.

Dated: April 5th, 2006



JOSE L. LINARES
UNITED STATES DISTRICT JUDGE